



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Effective on 12/03/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 230

Complete if Known

Application Number	10/666,301
Filing Date	09/19/2003
First Named Inventor	HARTLEY, Amanda April
Examiner Name	PEFFLEY, Michael
Art Unit	3739
Attorney Docket No.	12361-15US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account. Deposit Account Number: 195113 Deposit Account Name: OGILVY RENAULT LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply):

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
46	- 20 or HP = 1	x 50 =	50

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
	- 3 or HP =	x	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Submission of Information Disclosure Statement

180

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 34963	Telephone 416.216.3903
Name (Print/Type)	Paul J. FIELD		Date June 27, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Baylis Medical Company Inc.** Attorney Docket: 12361-15US
Serial No.: 10/666,301 Group Art Unit: 3739
Filed: **September 19, 2003** Examiner: Michael Peffley
For: **SURGICAL PERFORATION DEVICE WITH CURVE**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

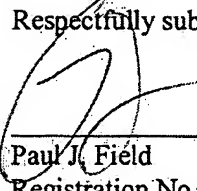
Sir:

In accordance with 37 CFR 1.56, Applicant hereby submits a Supplemental Information Disclosure Statement on Form PTO/SB/08A and SB/08B (2 sheets). Copies of the non-U.S. patent references and non-patent references are enclosed.

Applicant reserves the right to contest the applicability of the enclosed as prior art against the subject application.

This Supplemental Information Disclosure Statement is being filed subsequent to the issuance of a first office action, and therefore fees of official \$180 are submitted herewith on the attached fee transmittal sheet. However, the Commissioner is authorized to charge any deficiencies or overpayment to Deposit Account No. 195113.

Respectfully submitted,


Paul J. Field
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OGILVY RENAULT LLP

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06/28/2005 MBEYENE1 00000073 195113 10666301
02 FC:1806 180.00 DA

Date: June 27, 2005



PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/666,301
Filing Date	09/19/2003
First Named Inventor	Amanda April HARTLEY
Art Unit	3739
Examiner Name	Michael Peffley
Attorney Docket Number	12361-15US

Sheet 1 of 3

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite: No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,683,366	11-04-1997	Eggers et al.	
		US- 5,904,679	05-18-1999	Clayman	
		US- 6,814,733	11-09-2004	Schwartz et al.	
		US- 5,364,393	11-15-1994	Auth et al.	
		US- 5,098,431	03-24-1992	Rydell	
		US- 4,682,596	07-28-1987	Bales et al.	
		US- 6,293,945	09-25-2001	Parins et al.	
		US- 4,936,281	06-26-1990	Stasz	
		US- 4,928,693	05-29-1990	Goodin et al.	
		US- 6,296,615	10-02-2001	Brockway et al.	
		US- 5,403,338	04-04-1995	Milo	
		US- 6,650,923	11-18-2003	Lesh et al.	
		US- 5,921,957	07-13-1999	Killion et al.	
		US- 3,448,739	06-10-1969	Stark et al.	
		US- 5,281,216	01-25-1994	Klicek	
		US- 6,811,544	11-02-2004	Schaer	
		US- 2002/0123749	09-05-2002	Jain	
		US- 2002/0169377	11-14-2002	Khairkahan et al.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code* Number* Kind Code ³ (if known)				
		EP-0315730	05-15-1989	Osyпка		
		WO-9320747	10-28-1993	Rosar		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Complete if Known	
		Application Number	10/666,301
		Filing Date	09/19/2003
		First Named Inventor	Amanda April HARTLEY
		Art Unit	3739
		Examiner Name	Michael Peffley
Sheet 2 of 3	Attorney Docket Number	12361-15US	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	CA PEDRA, LN DE SOUSA, SR PEDRA, WP FERREIRA, SL BRAGA, CA ESTEVES, MV SANTANT, JE SOUSA, VF FONTES. "New Percutaneous techniques for perforating the pulmonary valve in pulmonary atresia with intact ventricular septum". Arq Bras Cardiol. 77(5):471-48 (2001).	
	2	DG NYKANEN, J PHIKALA, GP TAYLOR, LN BENSON. "Radiofrequency assisted perforation of the atrial septum in a swine model: feasibility, biophysical and histological characteristics". Circulation. 100(Suppl 1):I-804 (1999).	
	3	Baylis Medical Company Inc. "Radio Frequency Perforation System". (2001).	
	4	"ABSTRACT of European Patent No. 0315730 to Osypka". (1989).	
	5	Boston Scientific Corporation. "http://www.bostonscientific.com/med_specialty/deviceDetail.jsp?task=tskBasicDevice.jsp§ionId=4&relId=1,20,21,22&deviceId=488&uniqueId=MPDB58". Explorer ST Catheters. 2 pages. (Date of printing - June, 2005)	
	6	Boston Scientific Corporation. "http://www.bostonscientific.com/med_specialty/deviceDetail.jsp?task=tskBasicDevice.jsp§ionId=4&relId=2,74,75,76&deviceId=556&uniqueId=MPDB4320". Impulse Angiographic Catheter. 2 pages. (Date of printing - June, 2005)	
	7	Boston Scientific Corporation. "http://www.bostonscientific.com/med_specialty/deviceDetail.jsp?task=tskBasicDevice.jsp§ionId=4&relId=2,74,75,76&deviceId=11026&uniqueId=MPDB2799". PT2 Guide Wire. 2 pages. (Date of printing - June, 2005)	
	8	IntraLuminal Therapeutics, Inc. "http://www.intraluminal.com/products/catheter.html". Safe Cross Support Catheter. 1 page. (Date of printing - June, 2005)	
	9	Lake Region Manufacturing, Inc. "http://www.lakegrn.com/jmc.htm". Paragon Guidewire. 2 pages. (Date of printing - June, 2005)	
	10	Medtronic Inc. "http://www.medtronic.com/epsystems/diagnostic_catheters.html". Diagnostic Catheters. 7 pages. (Date of printing - April, 2005)	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/666,301
		Filing Date	09/19/2003
		First Named Inventor	Amanda April HARTLEY
		Art Unit	3739
		Examiner Name	Michael Peffley
Sheet 3	of 3	Attorney Docket Number	12361-15US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	11	Johnson & Johnson Gateway, LLC. "http://www.jnjgateway.com/home.html?loc=USENG&page=viewContent&contentId=fc0de00100001435&nodekey=/Prod_Info/Specialty/Arrhythmia_Management/Electrophysiology/EP_Diagnostic_Catheters". EP Diagnostic Catheters. 2 pages. (Date of printing - June, 2005)	
	12	Johnson & Johnson Gateway, LLC. "http://www.jnjgateway.com/home.html?sessionId=JNSHTW0A0IC0CQPC0C0CPJYKB2IWN5C7&loc=USENG&page=viewContent&contentId=fc0de00100000524&nodekey=/Prod_Info/Specialty/Cardiovascular_and_Thoracic/Cardiac_Diagnosis_Interventions/Diagnostic_Wires&requestId=228905". Diagnostic Guidewires. 4 pages. (Date of printing - June, 2005)	
	13	H JUSTINO, LN BENSON, DG NYKANEN. "Transcatheter Creation of an Atrial Septal Defect Using Radiofrequency Perforation". Catheter Cardiovasc Interv. 54(1):83-87 (September, 2001).	
	14	N SHIMKO, P SAVARD, K SHAH. "Radio frequency perforation of cardiac tissue: modelling and experimental results". Med. Biol. Eng. Comput. 38:575-582 (2000).	
	15	T ABDEL-MASSIH, Y BOUDJEMLINE, P BONHOEFFER. "Unusual interventional management in an adult with tetralogy of Fallot". Cardiol Young. 13(2):203-205 (April, 2003).	
	16	T HUMPL, B SODERBERG, BW MCCRINDLE, DG NYKANEN, RM FREEDOM, WG WILLIAMS, LN BENSON. "Percutaneous balloon valvotomy in pulmonary atresia with intact ventricular septum: impact on patient care". Circulation. 108(7):826-832 (August, 2003)	
	17	CA PEDRA, RM FILHO, RS ARRIETA, R TELLEZ, VF FONTES. "Recanalization of a discrete atretic right pulmonary artery segment with a new radiofrequency system". Catheter Cardiovasc Interv. 60(1):82-87 (September, 2003)	
	18	HW KORT, DT BALZER. "Radiofrequency perforation in the treatment of acquired left pulmonary atresia following repair of tetralogy of Fallot". Catheter Cardiovasc Interv. 60(1):79-81 (September, 2003)	
	19	G VELDTMAN, A PEIRONE, LN BENSON. "Radiofrequency perforation of the atrial septum: Preliminary experimental evaluation and development." PICS VII Abstracts. Catheter Cardiovasc Interv. 60(1):132 (September, 2003)	
	20	F GODART, C FRANCA, GM BREVIERE, C REY. "Pulmonary valvotomy with the Nykanen radiofrequency guide in pulmonary atresia with intact interventricular septum". Arch Mal Coeur Vals. 96(5):517-520 (May, 2003). Article is in French with an English summary.	

Examiner Signature	Date Considered
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